SINGLE BENCH CF RS(A)

In the Honble High Court of Chhattishgarh at Bilaspur (C.G.)
W.P. (S) No. 1045/07 ~~2006~~

Petitioner ..... Ganpat Das Sahu
Aged 48 years,
S/o Shri Lakhan Das Sahu,
Assistant Teacher,
Govt. Primary School, Murer
Mohla, District, Rajnandgaon (C.G.)

P.R. No. 1332/07
Presented by Shri A. Tiwari, Adv.
dated 14.02.2007

VERSUS

Respondent ... ... 1. The State Government of Chhattishgarh,
Through the Secretary,
Education & Tribal Department
D.K.S. Bhavan, Raipur (C.G.)

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2 Assistant Commissioner,
Tribal Welfare Department
Rajnandgaon (C.G.)

3. The District Education Officer,
Rajnandgaon (C.G)

Writ petition under articles 226 of the Constitution of India for issuance of writ in the nature of MANDAMUS, Certiorari, Prohibition and other suitable WRIT or writs, Order or orders, Direction or directions.

(20)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (S) No. 1045 of 2007

Petitioner : Ganpat Das Sahu

Versus

Respondents : The State Government of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Mr. Somkant Verma, Advocate for the petitioner.

Ms. Sunita Jain, Panel Lawyer for the State/respondents.

ORDER

(Passed on this 23rd Day of February, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner is working as Assistant Teacher. The petitioner has obtained B.T.I. Examination certificate on 23-9-1995, on his own expenses.

2. Learned counsel appearing for the petitioner submits that the question involved, herein asto whether the teacher, who obtained B.T.I. Examination Certificate on his own expenses, is entitled to two advance increments.

3. According to learned counsel for the petitioner, the petitioner is entitled to two advance increments in view of the decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation,

Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed. /B.T.I. Examination Certificate on their own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioner further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioner.

5. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioner has acquired B.T.I. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 & 1.3.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash